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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

Criminal Action
No. 19-10063-DJC

V.

RANDALL CRATER,

July 21, 2022
9:01 a.m.

Defendant.

TRANSCRIPT OF JURY TRIAL DAY 8
BEFORE THE HONORABLE DENISE J. CASPER

UNITED STATES DISTRICT COURT
JOHN J. MOAKLEY U.S. COURTHOUSE
1 COURTHOUSE WAY
BOSTON, MA 02210

DEBRA M. JOYCE, RMR, CRR, FCRR
Official Court Reporter
John J. Moakley U.S. Courthouse
1 Courthouse Way, Room 5204
Boston, MA 02210
joycedebra@gmail.com

1 APPEARANCES:

2 FOR THE GOVERNMENT:

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P R O C E E D I N G S

(The following proceedings were held in open court before the Honorable Denise J. Casper, United States District Judge, United States District Court, District of Massachusetts, at the John J. Moakley United States Courthouse, 1 Courthouse Way, Boston, Massachusetts, on July 21, 2022.

The defendant, Randall Crater, is present with counsel. The Assistant U.S. Attorneys are present.)

(The Court entered the courtroom.)

09:02 THE COURT: Good morning.

ALL: Good morning.

(Jury entered the courtroom.)

THE COURT: Good morning.

THE JURY: Good morning your Honor.

THE COURT: Seeing that you're all reassembled, we'll send the deliberating jury, the 12 of you, back up to continue your deliberations.

Our alternates, we'll make sure that you're comfortable.

09:03 Thank you.

THE JURY: Thank you.

(Jury left the courtroom.)

THE COURT: Counsel, anything from your part?

MR. MARKHAM: Nothing from the government, your Honor.

MR. LOPEZ: No, your Honor.

1 THE COURT: Just one thing to close the loop on the
2 record.

3 In regards to motion in limine Docket 134, Mr. Lopez,
4 this was Mr. Crater's motion in regards to Petrozziello
5 findings. For the reasons I stated on the record yesterday, I
6 deny that motion.

7 Ms. Hourihan, Docket 134.

8 I just wanted to note that.

9 We'll see what the day brings.

09:04 10 ALL: Thank you, your Honor.

11 (Recess taken from 9:04 a.m. to 9:55 a.m.)

12 (The Court entered the courtroom.)

13 THE COURT: Counsel, as I'm sure Ms. Hourihan told
14 you, we have a verdict, so they're coming down.

15 (Pause.)

16 (Jury entered the courtroom.)

17 THE CLERK: Would the deliberating jury please remain
18 standing, all others may be seated.

19 Mr. Foreman, members of the jury, have you reached a
09:57 20 unanimous verdict?

21 FOREPERSON: Yes, we have.

22 (Pause.)

23 THE COURT: It's in order, Ms. Hourihan, and it may be
24 recorded.

25 Thank you.

1 THE CLERK: Could I ask Mr. Crater to please rise.

2 Mr. Foreman, members of the jury, harken your verdict
3 as it is now recorded for the record.

4 In the case of United States of America v. Randall
5 Crater, we, the jury, find the defendant as to Count One, wire
6 fraud on or about April 8, 2014, guilty.

7 Count Two, wire fraud on or about May 1, 2014, guilty.

8 Count Three, wire fraud on or about August 13, 2014,
9 guilty.

09:58 10 Count Four, wire fraud on or about January 28, 2015,
11 guilty.

12 Count Five, unlawful monetary transactions on or about
13 May 2, 2014, guilty.

14 Count Six, unlawful money transactions on or about May
15 5, 2014, guilty.

16 Count Seven, unlawful monetary transactions on or
17 about June 2, 2014, guilty.

18 And Count Eight, operating an unlicensed money
19 transmitting business, guilty.

09:58 20 So say you, Mr. Foreman, so say you all members of the
21 jury, that you agree that the verdict as it was just recorded
22 for the record?

23 THE JURY: Yes.

24 THE CLERK: Thank you. Please be seated.

25 THE COURT: Any further inquiry of the jury,

1 Mr. Markham?

2 MR. MARKHAM: Nothing from the government, your Honor.

3 THE COURT: Mr. Lopez?

4 MR. LOPEZ: Your Honor, I ask that the jury be polled.

5 THE COURT: Okay. They may be, Ms. Hourihan.

6 THE CLERK: Okay.

7 Members of the jury, when I call out your seat number,
8 if you'd please state whether you agree or disagree with the
9 verdict as it was just recorded for the record.

09:59 10 Juror in seat No. One.

11 JUROR: I agree with the verdict on all counts.

12 THE CLERK: Thank you.

13 Juror No. Two.

14 JUROR: I agree with the verdict on all counts.

15 THE CLERK: Thank you.

16 Juror No. Three.

17 JUROR: I agree with the verdict on all counts.

18 THE CLERK: Thank you.

19 Juror No. Four.

09:59 20 JUROR: I agree with the verdict on all counts.

21 THE CLERK: Thank you.

22 Juror No. Five.

23 JUROR: I agree with the verdict on all counts.

24 THE CLERK: Jury No. Six.

25 JUROR: I agree with the verdict on all counts.

1 THE CLERK: Thank you.

2 Juror No. Seven.

3 JUROR: I agree with the verdict on all counts.

4 THE CLERK: Thank you.

5 Juror No. Eight.

6 JUROR: I agree with the verdict on all counts.

7 THE CLERK: Juror No. 9.

8 JUROR: I agree with the verdict on all counts.

9 THE CLERK: Juror No. Ten.

10:00 10 JUROR: I agree with the verdict on all counts.

11 THE CLERK: Thank you.

12 Juror No. 11.

13 JUROR: I agree with the verdict on all counts.

14 THE CLERK: Thank you.

15 And Juror No. 12.

16 JUROR: I agree with the verdict on all counts.

17 THE CLERK: Thank you.

18 THE COURT: Thank you.

19 Jurors, on behalf of the Court and all of the parties

10:00 20 and all of the attorneys, I want to thank you for your service
21 in this case. You've been attentive and prompt throughout, I
22 greatly appreciated this.

23 Jury service is no small task, and we appreciate your
24 service in this matter.

25 Jurors, I recognize that you probably want to get back

1 to your lives, but if you'd indulge me for a few moments, I'd
2 love to come up and thank you personally if you're willing to
3 wait around.

4 With that said, you're all discharged, which means you
5 no longer have to listen to my instructions.

6 What I would ask you to keep in mind, though, is in
7 the course of your deliberations you may have had conversations
8 that you wouldn't want disclosed by anyone else, so you -- it's
9 up to you whether or not you talk to anyone in your life about
10:01 10 your service on this case or your deliberations, but I just ask
11 you to keep that in mind as you move forward.

12 I also want to thank our alternate jurors. I know it
13 can be quite unsatisfying to listen to the whole trial and then
14 not have an opportunity to discuss it with the other jurors,
15 but I want to thank you for your willingness to serve as well.

16 Thank you, and with that, you're discharged. Thank
17 you.

18 THE CLERK: All rise.

19 (Jury left the courtroom.)

10:02 20 THE CLERK: Please be seated.

21 THE COURT: Mr. Crater, in light of the jury's
22 verdict, what will happen next is we'll have to schedule
23 sentencing in this matter.

24 In preparation for your sentencing, the Probation
25 Office will prepare a presentence report about you to assist me

1 in your sentencing. They'll want to interview you for that
2 report. Your counsel, Mr. Lopez, can be present for that
3 interview if you wish.

4 Before I see you for sentencing, you'll have the
5 opportunity to review that report and challenge or object to
6 any of the contents of it or the recommended application of the
7 guidelines.

8 At the sentencing hearing, both Mr. Lopez on your
9 behalf and you will have the opportunity to address me if you
10:02 10 so choose.

11 Ms. Hourihan, a date for sentencing.

12 THE CLERK: October 27th at 3:00 p.m.

13 THE COURT: Does that work both sides?

14 MR. MARKHAM: Yes, your Honor.

15 THE COURT: Mr. Lopez, I'll give you a moment.

16 MR. LOPEZ: Yes, your Honor.

17 THE COURT: Okay.

18 And, counsel, I imagine, although I don't know that I
19 have a formal report to this effect before me from Pretrial
10:03 20 Services, that Mr. Crater has been on conditions of release
21 pending trial?

22 MR. MARKHAM: Yes, your Honor.

23 THE COURT: I'm assuming the government has no issue
24 with him continuing on those conditions.

25 MR. MARKHAM: No, your Honor.

1 THE COURT: Okay.

2 Mr. Lopez, do you need to be heard at all?

3 MR. LOPEZ: I do not, your Honor.

4 THE COURT: Okay.

5 So, Mr. Crater, obviously that means you need to
6 continue to comply with the conditions of release that have
7 been previously in place. Do you understand?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Anything else before we break?

10:03 10 MR. MARKHAM: Nothing from the government, your Honor,
11 thank you.

12 THE COURT: Mr. Lopez?

13 MR. LOPEZ: No, your Honor, thank you.

14 Thank you. Thank you.

15 THE CLERK: All rise.

16 (Court adjourned at 10:04 a.m.)

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18 CERTIFICATION

19 I certify that the foregoing is a correct transcript
20 of the record of proceedings in the above-entitled matter to
21 the best of my skill and ability.

22

23

24 /s/Debra M. Joyce
25 Debra M. Joyce, RMR, CRR, FCRR
Official Court Reporter

July 21, 2022
Date